

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

MA & UD Department – Allegation against Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation on violating the provisions of GHMC Act, 1955 and executing several civil contract works in the Kadapa Municipal Corporation jurisdiction through a firm viz. M/s. Vardhini Constructions which is owned by his family members –Removal from the Office of Mayor, Kadapa Municipal Corporation –Orders Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (G) DEPARTMENT

G.O.RT.No. 446

Dated: 14-05-2025

Read the following:-

1. From Director General, General Administration (Vigilance & Enforcement) Department, Appraisal Report No.09(C.No.0163/V&E/Engg./2025), Dated:28-02-2025.
2. Show Cause Notice Memo No.2748808/G/2025, Dt .24.03.2025.
3. Orders of AP High Court Dt.8.4.2025 in WP No.9197 of 2025.
4. Govt. Memo No.2748808/G/2025, dt.22.04.2025.
5. Orders of AP High Court in Writ Appeal No.519 of 2025, Dt.29.4.2025.
6. From Sri K. Suresh Babu, Mayor, Kadapa Municipal Corporation, letter dt.07.05.2025.
7. Govt.Memo.No.2748808/G/2025, Dt.09.05.2025.

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ORDER:

In the reference 1st read above, the Director General, General Administration (Vigilance & Enforcement) Department informed that, Smt. Madhavi Reddappagari , Hon'ble MLA, Kadapa Assembly Constituency has filed complaint petition against M/s. Vardhini Constructions rep. by Sri Kothamaddi Amaresh and his wife Smt. Jayasri (family members of Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation) before the Vigilance & Enforcement Department on the allegations of huge irregularities committed in execution of civil contract works in the jurisdiction of Kadapa Municipality and violation of provisions of GHMC Act, 1955. The Vigilance & Enforcement Department conducted an enquiry into the contents of the petition and furnished enquiry report. The allegations made against Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation are as follows:-

ALLEGATIONS:

The petitioner stated that Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation violated the provisions of GHMC Act, 1955 and executed several Civil Contract works through a firm viz. M/s. Vardhini Constructions which is owned by his family members, even though he is aware of the fact that he will be disqualified for being Mayor of Kadapa Municipal Corporation. The petitioner further stated that Smt. Kothamaddi Jayasree, w/o. Sri Kothamaddi Suresh Babu, Mayor Kadapa Municipal Corporation is a partner of M/s. Vardhini Constructions and is also active in politics for more than 03 decades and served as Sarpanch, Chinna Chowk Village as well as Corporator in Kadapa Municipal Corporation. He must have known that a member shall be disqualified when he or their family member in a local body, shall have any share or interest in any contract or has employment with, by or on behalf of the corporation / local body.

Also stated that the Executive Engineer, KMC considered M/s. Vardhini Constructions as class - V civil contractor in KMC, which belongs to the family member

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of Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation vide proc. No. 2694/2002/E1, dated 05.05.2023.

The said firm executed several civil works in Kadapa Municipal Corporation and few of them are as under:

Sl. No.	Name of Work	Nature of Work	Estimated Amount in Rs.	Source of funds
1	Providing of CC road from D.No. 36/323-5-4 to 36/323-7-5 at Pakeerpalli in 12th division.	Capital work	10,000,00	General Fund
2	Providing of Revetment (RR) & CC Approaches along the canal near sanjanna circle to Varcas compound wall in 12th division.	Maintenance work	10,000,00	General Fund
3	Providing of CC road from D.No.36/323-3 75 to 36/323-21-1-12 at road no.02, Srinagar colony in 12th division in KMC.	Capital work	3,50,000	General Fund
4	Laying of CC road from D.No. 36/323-4-1 to Main road (Bypass) at srinagar colony in 12th division in KMC.	Capital work	3,95,000	General Fund

Clause (h) of sub rule 01 of rule 22 of GHMC Act, 1955 clearly stated that "Subject to the provisions of Sub-Section (2) has directly or indirectly, by himself or his partner or if he belongs to a joint Hindu family, by any member or such family, any share or interest in any contract or has employment with, by or on behalf of the corporation" a person shall be disqualified for being an elected member.

Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation and his family are well aware of the sustained Acts and rules, having experience in politics for more than three decades. However they misused their power with malafied intention for their monetary benefits, by breaking the laws and rules consciously.

2. Further, the Vigilance & Enforcement officials have conducted an enquiry into the allegations and they have made the following observations:-

OBSERVATIONS:

I. The tenure of Mayor in any Municipal Corporation in Andhra Pradesh is five years from the date of taking the oath. In Kadapa Municipal Corporation, Sri Kothamaddi Suresh Babu assumed office as Mayor on 18.03.2021 and his tenure will end on 17.03.2026.

II. The firm M/s. Sri Vardhini Constructions got registered as a Class -V contractor vide proceeding Roc. No. 2694/2002/1, dated 15.05.2023.

III. As per the nomination filed by the Mayor Sri Kothamaddi Suresh Babu, Sri Kothamaddi Amaresh (Son) and Smt. Kothamaddi Jayasree (Wife) are his family members.

IV. During verification of M/s. Sri Vardhini Constructions firm details, it was

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observed that the Managing/Authorized Partners of the said firm are Sri Kothamaddi Amaresh and Smt. Kothamaddi Jayasree, who are the family members of Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation.

V. M/s. Sri Vardhini Constructions was awarded 10 works with an estimated cost of Rs.55.64 lakhs by the Municipal Corporation, Kadapa during the tenure of the present Mayor Sri Kothamaddi Suresh Babu. Out of the said 10 works, 7 works were completed and Rs.33.65 lakhs was paid to the agency and agreements were concluded for the remaining 3 works and these works are not started. The details of the works are as following:-

Sl. No	Name of Work	Estimated Amount In Rs.	Status of the Work
1	Providing of CC Road D.No.36/323-5-4 to 36/323 7-5 at pakkirpalli in 12th Division.	100000	Completed
2	Providing of Revetment (RR) & cc Approaches along the canal near sanjanna circle to varcas compound wall.	1000000	Completed
3	providing of cc road from d.no 36/323-75 to 36/323-21-1-12 at Srinagar colony road -2 12th division in KMC.	360000	Completed
4	Desilting of Major storm water Drain from Beside Eco Park to DC road	496000	Completed
5	Desilting of Existing Stom water Drain from KS Nagar to Nanapalli.	492000	Completed
6	Desilting of Major storm water Drain from: visveswaralah circle to patel road, rajeev marg road to sbi bank and himalaya hospital to sbi bank in Kadapa Municipal Corporation.	500000	Completed
7	Providing of Pipeline interconnection at Machupalli Bus Stand from D.No. 18/115to 18/324 in 29th Division of Kadapa Municipal Corporation.	225000	Completed
8	Laying of CC Patches from Church D.NO. 38/10 and in Buddayapalli 4th Division.	998000	Agreement Concluded but Work not started
9	Laying of CC Road from D.NO. 38/22-1 to 38/26-2-3 near Buddayapalli Sachivalayam in 4th Division.	998000	Agreement Concluded but Work not started
10	Laying of CC Road D.No. 36/323-4-1 to Main Road (bypass) at Srinagar Colony in 12th Division in Kadapa Municipal Corporation.	395000	Agreement Concluded but Work not started

VI. Clause 22-1(h) of GHMC Act and the rules of 1955 and 1956 states, "Subject to the provisions of sub-section (2), any person who has, directly or indirectly, by himself or through his partner, or if he belongs to a joint Hindu Family, by any member of such family, any share or Interest in any contractor employment with, by, or on behalf of the Corporation shall be disqualified."

(i) has been dismissed from the service of the Government, Corporation or any local authority for misconduct and has been declared by a competent authority

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to be not eligible for further employment in the public service.

Additionally, Clause 23(1) states:

"A member shall cease to be a member if he (a) is or becomes subject to any of the disqualifications specified in Section 22."

VII. As seen from the above, the present Mayor, Sri Kothamaddi Suresh Babu violated Clause 22-1(h) of the GHMC Act No.II of 1956 during his tenure by allowing his family members Sri Kothamaddi Amaresh (Son) and Smt. Kothamaddi Jayasree (Wife) to execute works in Kadapa Municipal Corporation through his own firm M/s. Sri Vardhini Constructions in which they were the Managing/Authorized Partners.

3. In the reference 2nd read above, Government, after examining the above findings of the Vigilance & Enforcement Department, have issued Show Cause Notice to Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation in terms of section 679 (B) (2) of GHMC Act, 1955 as to why he shall not be liable to be disqualified and removed as Mayor, Kadapa Municipal Corporation under 679 (B) (1) of GHMC Act, 1955 for committing irregularities in execution of several Civil Contract works in Kadapa Municipal Corporation jurisdiction through a firm viz.M/s. Vardhini Constructions which is owned by his family members and thus violating the Section 22-1(h) of GHMC Act, 1955 and also requested to submit his explanation in writing on the above allegations within a period of 15 days to Government. If no explanation is received within the stipulated time, further necessary steps will be contemplated based on the available material as per the provisions of GHMC Act, 1955 and rules in force.

4. Further, Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation has filed WP No.9197 of 2025 questioning the show Cause Notice Dt.24.3.2025 before Hon'ble High Court and the Hon'ble Court in ref.3rd read above has directed the Respondent No.1 i.e., State of A.P., rep. by its Prl. Secy. to Govt., MA&UD Dept., to provide all the documents relied upon in the impugned Show Cause Notice to the Petitioner and the time for the Petitioner to respond to reply to the Show Cause Notice is extended by a further period of three (3) weeks from the date of receipt of the web copy of this order. Accordingly, in compliance to the above orders of Hon'ble AP High Court, the copies of Complaint petition of Smt. Madhavi Reddappagari, Hon'ble MLA, Kadapa Assembly Constituency and General Administration (Vigilance & Enforcement) Department, Appraisal Report No.09 (C. No.0163/V&E/Engg./2025), Dated 28-02-2025 along with enclosures were furnished to Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation vide ref.4th read above and he was requested to reply to the Show Cause within time as ordered by the Hon'ble APHC in reference 3rd read above.

5. Subsequently, Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation has filed W.A.No.519 of 2025 against above order dated 08.04.2025 passed in Writ Petition No.9197 of 2025 and the Hon'ble APHC Vide ref. 5th read above has disposed of W.A.No.519 of 2025, with the following directions :-

" We do not find any reason to interfere with the judgment and order impugned. However, we dispose of the present writ appeal with the following directions. In case the appellant herein files his response to the impugned Show Cause Notice within a period of 10 days from today, the authority shall pass a speaking order after giving an opportunity of being heard. Furthermore, if the said order is adverse to the interest of the appellant in any manner, the same shall not be given effect to for at least a period of two weeks thereafter."

6. In the ref. 6th read above, Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation has given his written explanation to the show cause notice issued as follows: -

1). The Firm namely M/s. Vardhini Constructions is owned by his wife and son. But, it is not correct to say that the said works were executed with his knowledge, as the said works have been awarded by the Commissioner, Kadapa Municipal Corporation as the value of the works, which have been executed by M/s Vardhini Construction are valued upto ten (10) lakhs and the same are not placed before the Council. There is no prohibition under the provisions of the Act, 1955 prohibiting the execution of contracts works by the kith and kin of the member of the Municipal Corporation in the Municipal Corporation jurisdiction.

2). As on the date of election, the Firm itself was not registered and no work has been executed in Kadapa Municipal Corporation jurisdiction. Hence, the disqualification which is referred under Section 22 (1) (h) of the Act, 1955 does not apply either to disqualify him as Member/Mayor of the Municipal Corporation or to remove him from the position of Mayor, Kadapa Municipal Corporation.

3). Further, whether he incurred disqualification or not, is required to be adjudicated as is provided under Section 23-D of the Act, 1955 by a competent Civil Court. All the allegations levelled against him, even, if the same on their face value may attract the provisions of Section 22 (1) (h) of the Act, 1955, persons who are authorised under Section 23-D of the Act, 1955 have to approach the competent Civil Court seeking to declare him as disqualified to be elected as the Member of Corporation.

4). In so far as Section 679-B (2) of the Act, 1955 is concerned, the Government is empowered to remove Mayor or Deputy Mayor who in its opinion willfully omits or refused to carry out or disobeys the provisions of this Act or any rules, bye-laws regulations or lawful orders issued thereunder or abuses his position of the powers vested in him. He has stated that, a mere perusal of the complaint and the notice under reference would amply substantiate that, he is alleged to have incurred disqualification as is provided under Section 22 (1) (h) of the Act, 1955. Whereas, the entire allegations which levelled against him would not at all say that, he has wilfully omitted or refused to carry out or disobeyed the provisions of the Act, 1955 or any rules, bye-laws, regulation, lawful order thereunder or abused his position of the powers vested with him. When such is the case, invoking of the powers conferred under Section 679-B of the Act, 1955 referring to the disqualification alleged to have been incurred under Section 22 (1) (h) of the Act, 1955 is nothing, but, contrary to the scheme envisaged under the provisions of the Act, 1955 and hence the initiation of the proceedings under Section 679-B of the Act, are not warranted.

7. While stating the above, Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation has requested to drop all further proceedings in pursuance of the Show cause Notice and also requested to give him an opportunity of hearing as has been directed by the Hon'ble Court Andhra Pradesh at Amaravathi vide orders, dated 29.04.2025 made in W.A.No.519 of 2025, if not satisfied with his written explanation.

8. In this regard, based on the explanation of Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation at para - 6(1) above, it is clear from the perusal of Section 23 (1) of GHMC Act, 1955 read with Section 22-1(h) of GHMC Act, 1955 that if any member who has, directly or indirectly, by himself or through his partner, or if he belongs to a joint Hindu family, by any member of such family, any share or interest in

any contract or employment with, by, or on behalf of the Corporation shall be disqualified for continuing as a member. The ground of the mayor that it is not correct to say that the said works were executed by M/s. Vardhini Constructions owned by his wife and son without his knowledge, as the said works have been awarded by the Commissioner, Kadapa Municipal Corporation as the value of the works, which have been executed by M/s Vardhini Construction are valued upto ten (10) lakhs and the same are not placed before the Council is not tenable in view of clear grounds of disqualification for continuing as member as stated above.

9. Further, with regard to explanation of Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation at para – 6(2) above, as per 679-B of GHMC Act, 1955, Government has the power to remove Mayor who, in their opinion willfully omits or refuses to carry out or disobeys the provisions of this Act or any rules, bye-laws, regulations or lawful orders issued thereunder or abuses his position or the powers vested in him. As per V&E report, it is clear that the present Mayor, Sri Kothamaddi Suresh Babu violated Section 22-1(h) read with Section 23 (1) of the GHMC Act, 1955 during his tenure by allowing his family members to execute works in Kadapa Municipal Corporation through firm M/s. Sri Vardhini Constructions.

10. Further, with regard to explanation of Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation at para – 6(3) above, the power under Section 679-B for removal of Mayor is available to the Government for the grounds mentioned therein, while Section 23-D of the Act applies when the Commissioner has given intimation to the Member of the disqualification and when the Member disputes the same. Both these provisions apply in independent spheres. Therefore, the contention of lack of jurisdiction may not arise in this case. The same has been opined by the Hon'ble APHC in its orders dt.08.04.2025 in W.P.No.9197 of 2025 filed by Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation.

11. Further, with regard to explanation of Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation at Para – 6(4) above, the explanation is not tenable, since as per 679-B of GHMC Act, 1955, Government has the power to remove Mayor who, in their opinion willfully omits or refuses to carry out or disobeys the provisions of this Act or any rules, bye-laws, regulations or lawful orders issued thereunder or abuses his position or the powers vested in him and in the instant case , Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation has disobeyed the provisions of Section 22-1(h) read with Section 23 (1) of the GHMC Act No.II of 1956.

12. As per the Hon'ble AP High Court Orders Dt.29.4.2025 in W.A.No.519 of 2025, an opportunity of hearing has been given to Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation by conducting a personal hearing in the Chambers of Prl. Secy. to Govt., MA&UD, Room No.140, Building No.2, AP. Secretariat, Velagapudi. However, Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation has not adduced any new grounds apart from what was said in his earlier written explanation dt. 07.05.2025.

13. Government , after careful examination of the General Administration (Vigilance & Enforcement) report in reference 1st read above and the written explanation submitted by Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation and in view of the powers conferred under 679 (B) (1) of GHMC Act, 1955, hereby decided to remove Sri Kothamaddi Suresh Babu from the office of Mayor, Kadapa Municipal Corporation for committing irregularities in execution of several Civil Contract works in Kadapa Municipal Corporation jurisdiction through a firm viz. M/s. Vardhini Constructions which is owned by his family members and thus disobeying the Section 22-1(h) read with Section 23 (1) of the GHMC Act,1955.

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14. This order shall come into effect after 2 weeks from the date of issue of order, in compliance with the orders of Hon'ble A.P High Court Dt.29.4.2025 in W.A.No.519 of 2025.

15. The following notification shall be published in the Extra-ordinary issue of A.P.Gazette Dated 14 .05.2025.

16. The Commissioner Printing, Stationary & Stores Purchase, A.P. Hyderabad shall furnish 50 copies of the Gazette Notification to the Government.

NOTIFICATION

In exercise of the powers conferred by Section 679 (B)(1) of GHMC Act, 1955, Government hereby remove Sri Kothamaddi Suresh Babu from the office of Mayor, Kadapa Municipal Corporation for committing irregularities in execution of several Civil Contract works in Kadapa Municipal Corporation jurisdiction through a firm viz. M/s. Vardhini Constructions which is owned by his family members and thus disobeying the Section 22-1(h) read with Section 23 (1) of the GHMC Act,1955.

In compliance to the orders of Hon'ble A.P High Court Dt.29.4.2025 in W.A.No.519 of 2025, the above notification shall come into effect after 2 weeks from the date of issue of notification.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

**S SURESH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner, Printing, Stationary & Stores Purchase, Vijayawada.

Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation, Kadapa (through C&DMA, AP., Mangalagiri).

The Commissioner of Director of Municipal Administration, AP., Mangalagiri, (with a request to serve the order to the individual and furnish served copy to the Government)

Copy to:

The Commissioner, State Election Commission, Vijayawada

The General Administration (Vigilance & Enforcement) Department.

The Commissioner, Kadapa Municipal Corporation, Kadapa.

The Collector and District Magistrate, YSR Kadapa District.

The OSD to Minister for MA & UD.

The P.S to Principal Secretary to Government (MA & UD).

SF/SC (e-2748808).

//FORWARDED :: BY ORDER//

SECTION OFFICER